

LAW OFFICES
KILYK & BOWERSOX, P.L.L.C.
Intellectual Property Law

RECEIVED
CENTRAL FAX CENTER
AUG 11 2008

From the Desk of
LUKE A. KILYK*

400 Holiday Court
Suite 102
WARRENTON, VA 20186

FAIRFAX OFFICE
3925 Chain Bridge Road
Suite D-401
Fairfax, Virginia 22030

Email: lkilyk@kbpattentlaw.com
Website: <http://www.kbpattentlaw.com>

TEL.: (540) 428-1701
FAC.: (540) 428-1720
(540) 428-1721

*Admitted only in PA and DC


PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: August 11, 2008

TO: Examiner Alex Kok Soon Liew
Group Art Unit 2624
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/689,755
For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD
AND RECORD MEDIUM FOR THE IMAGE PROCESSING APPARATUS
Our Ref: 3140-016

FROM: Luke A. Kilyk, Esq. 

FAC. TEL. NO.: 1-571-273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 19

Items Attached: Amendment -- 16 pages
Fee Transmittal -- 1 page
Credit Card Payment Form -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on August 11, 2008.

Kim Blum
Name (Print)


Signature

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2008				Complete if Known																																																																																																																																																																																			
Effective 10/01/2003. Patent fees are subject to annual revision.				Application Number	10/689,755																																																																																																																																																																																		
				Filing Date	October 21, 2003																																																																																																																																																																																		
				First Named Inventor	Kazuhiro SAEKI																																																																																																																																																																																		
				Examiner Name	Alex Kok Soon Liew																																																																																																																																																																																		
				Art Unit	2624																																																																																																																																																																																		
				Attorney Docket No.	3140-016																																																																																																																																																																																		
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27																																																																																																																																																																																							
TOTAL AMOUNT OF PAYMENT		(\$)		210.00																																																																																																																																																																																			
METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)																																																																																																																																																																																				
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 50-0925 Deposit Account Name: Kilyk & Bowersox, P.L.L.C. The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>120</td> <td>2251</td> <td>60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>460</td> <td>2252</td> <td>230</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>1060</td> <td>2253</td> <td>525</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1640</td> <td>2254</td> <td>820</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,230</td> <td>2255</td> <td>1,115</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>610</td> <td>2401</td> <td>265</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>510</td> <td>2402</td> <td>255</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>1,030</td> <td>2403</td> <td>515</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>510</td> <td>2452</td> <td>265</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,540</td> <td>2453</td> <td>770</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,440</td> <td>2501</td> <td>720</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>820</td> <td>2502</td> <td>410</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>1,130</td> <td>2503</td> <td>585</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1464</td> <td>130</td> <td>1480</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee for provisional applications</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>810</td> <td>2809</td> <td>405</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>810</td> <td>2810</td> <td>405</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>810</td> <td>2801</td> <td>405</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	120	2251	60	Extension for reply within first month		1252	460	2252	230	Extension for reply within second month		1253	1060	2253	525	Extension for reply within third month		1254	1640	2254	820	Extension for reply within fourth month		1255	2,230	2255	1,115	Extension for reply within fifth month		1401	610	2401	265	Notice of Appeal		1402	510	2402	255	Filing a brief in support of an appeal		1403	1,030	2403	515	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	510	2452	265	Petition to revive - unavoidable		1453	1,540	2453	770	Petition to revive - unintentional		1501	1,440	2501	720	Utility issue fee (or reissue)		1502	820	2502	410	Design issue fee		1503	1,130	2503	585	Plant issue fee		1464	130	1480	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee for provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	810	2809	405	Filing a submission after final rejection (37 CFR 1.129(a))		1810	810	2810	405	For each additional invention to be examined (37 CFR 1.129(b))		1801	810	2801	405	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																			
1053	130	1053	130	Non-English specification																																																																																																																																																																																			
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																			
1251	120	2251	60	Extension for reply within first month																																																																																																																																																																																			
1252	460	2252	230	Extension for reply within second month																																																																																																																																																																																			
1253	1060	2253	525	Extension for reply within third month																																																																																																																																																																																			
1254	1640	2254	820	Extension for reply within fourth month																																																																																																																																																																																			
1255	2,230	2255	1,115	Extension for reply within fifth month																																																																																																																																																																																			
1401	610	2401	265	Notice of Appeal																																																																																																																																																																																			
1402	510	2402	255	Filing a brief in support of an appeal																																																																																																																																																																																			
1403	1,030	2403	515	Request for oral hearing																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																			
1452	510	2452	265	Petition to revive - unavoidable																																																																																																																																																																																			
1453	1,540	2453	770	Petition to revive - unintentional																																																																																																																																																																																			
1501	1,440	2501	720	Utility issue fee (or reissue)																																																																																																																																																																																			
1502	820	2502	410	Design issue fee																																																																																																																																																																																			
1503	1,130	2503	585	Plant issue fee																																																																																																																																																																																			
1464	130	1480	130	Petitions to the Commissioner																																																																																																																																																																																			
1807	50	1807	50	Processing fee for provisional applications																																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																			
1809	810	2809	405	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																			
1810	810	2810	405	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																			
1801	810	2801	405	Request for Continued Examination (RCE)																																																																																																																																																																																			
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																			
1. BASIC FILING FEE <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>310</td> <td>2011</td> <td>155</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1012</td> <td>210</td> <td>2012</td> <td>105</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1013</td> <td>210</td> <td>2013</td> <td>105</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1014</td> <td>310</td> <td>2014</td> <td>155</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>210</td> <td>2005</td> <td>105</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1011	310	2011	155	Utility filing fee		1012	210	2012	105	Design filing fee		1013	210	2013	105	Plant filing fee		1014	310	2014	155	Reissue filing fee		1005	210	2005	105	Provisional filing fee		2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>50</td> <td>2202</td> <td>25</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>210</td> <td>2201</td> <td>105</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>370</td> <td>2203</td> <td>185</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>210</td> <td>2204</td> <td>105</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>50</td> <td>2205</td> <td>25</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	50	2202	25	Claims in excess of 20		1201	210	2201	105	Independent claims in excess of 3		1203	370	2203	185	Multiple dependent claim, if not paid		1204	210	2204	105	**Reissue independent claims over original patent		1205	50	2205	25	**Reissue claims in excess of 20 and over original patent																																																																																																			
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1011	310	2011	155	Utility filing fee																																																																																																																																																																																			
1012	210	2012	105	Design filing fee																																																																																																																																																																																			
1013	210	2013	105	Plant filing fee																																																																																																																																																																																			
1014	310	2014	155	Reissue filing fee																																																																																																																																																																																			
1005	210	2005	105	Provisional filing fee																																																																																																																																																																																			
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1202	50	2202	25	Claims in excess of 20																																																																																																																																																																																			
1201	210	2201	105	Independent claims in excess of 3																																																																																																																																																																																			
1203	370	2203	185	Multiple dependent claim, if not paid																																																																																																																																																																																			
1204	210	2204	105	**Reissue independent claims over original patent																																																																																																																																																																																			
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																			
SUBTOTAL (1) (\$) 0.00			SUBTOTAL (2) (\$) 210.00																																																																																																																																																																																				
SUBTOTAL (3) (\$) 0.00			SUBTOTAL (4) (\$) 0.00																																																																																																																																																																																				
SUBMITTED BY <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <tr> <td style="width: 30%;">Name (Print/Type)</td> <td style="width: 30%;">Luke A. Kilyk</td> <td style="width: 20%;">Registration No. (Attorney/Agent)</td> <td style="width: 10%;">33,251</td> <td style="width: 10%;">Telephone</td> <td style="width: 10%;">1-540-428-1701</td> </tr> <tr> <td>Signature</td> <td></td> <td>Date</td> <td colspan="3">August 11, 2008</td> </tr> </table>						Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701	Signature		Date	August 11, 2008																																																																																																																																																																								
Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701																																																																																																																																																																																		
Signature		Date	August 11, 2008																																																																																																																																																																																				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on August 11, 2008.

Kim Blum
Name (Print)

Signature

RECEIVED
CENTRAL FAX CENTER
AUG 11 2008

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on August 11, 2008.

Kim Blum
Name (Print)

Kim Blum
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Kazuhito SAEKI)	Examiner:	Alex Kok Soon Liew
)		
Application No.:	10/689,755)	Group Art Unit:	2624
)		
Filed:	October 21, 2003)	Confirmation No.:	6009
)		
Docket No.	3140-016)	Customer No.:	33432

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD AND RECORD
MEDIUM FOR THE IMAGE PROCESSING APPARATUS

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 11, 2008

Sir:

This Amendment is in response to the Office Action dated May 9, 2008, for which the Examiner has set a three-month period for response, thus making the response due on or before August 11, 2008 (August 9 and 10, 2008 were a Saturday and Sunday respectively).

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.